

# Frederick K. Funk, LLP

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00-38 8 / AON

**To:** UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY  
**Attn: Hon. Faith S. Hochberg**  
50 Walnut Street  
Newark, NJ 07101

**Date:** November 12th, 2008

**Re:** **Erroneously Named as Counsel for Defendants in Civil Action**  
**Case No. 08-CV-3163**

To the Honorable Faith S. Hochberg:

I recently received a copy of the attached paperwork for the above-captioned lawsuit that was apparently sent to this firm by its *pro se* Plaintiff. In the attached two sets of default paperwork that we received, the *pro se* Plaintiff erroneously indicates that the Plaintiff is serving either myself or this law firm as counsel for the Defendants. Therefore, I felt it was important to advise this Court that neither myself nor any other attorney at this law firm is representing any of the Defendants in this lawsuit.

Respectfully,



Brian F. Funk, Esq.  
Frederick K. Funk, LLP  
105 Sleepy Hollow Drive Suite A  
Middletown, DE 19709  
302-376-0311 (tel)  
302-376-6950 (fax)

**CC:** Thomas J. Ernst  
984 Morris Turnpike Suite 134  
Short Hills, NJ 07928

David Bridges, David J. Bridges, Jr., BMA Investments, Inc., and George Fantini  
12781 Darby Brock Court  
Woodbridge, VA 22192

Pro Se  
784 Morris Turnpike, Suite 134  
Short Hills, New Jersey 07078  
(703) 474 - 7777  
Plaintiff, Pro Se

Thomas J. Ernst,  
Plaintiff  
vs.

David Bridges &  
David J. Bridges, Jr. &  
BMA Investments, Inc. &  
George Fantini,  
Defendant(s)

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

Civil Action No. 08 - CV - 3163

Hon. \_\_\_\_\_ Judge Faith Hochberg

**REQUEST FOR ENTRY OF DEFAULT**

TO: Clerk  
United States District Court  
District of New Jersey  
60 Walnut St., 4<sup>th</sup> Floor  
Newark, New Jersey

Please enter the default of the defendants, David Bridges, David J. Bridges, Jr.,  
BMA Investments, Inc. for failure to plead or otherwise defend as provided by the  
Federal Rules of Civil Procedure, as appears from the Affidavit(s) of Thomas J. Ernst,  
M.A., J.D., attached hereto.

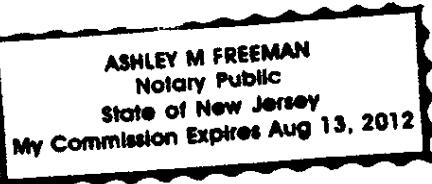
Upon the Affidavit(s) attached hereto you will please enter judgment by default  
Against David Bridges, David J. Bridges, Jr., BMA Investments, Inc., and George  
Fantini, individually and severally, the named Defendants in the above-entitled action, for  
Three hundred and Forty thousand (\$340,000) US Dollars, with interest of 4% and costs.

Thomas J. Ernst, Pro Se,

Plaintiff

BY: Thomas J. Ernst, Pro Se

Dated: Oct. 28, 2008



(Signature)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

Thomas J. Ernst,	)	
Plaintiff	)	
	)	
vs	)	<b>Case No. 08 CV 3163</b>
	)	
David Bridges &	)	<b>Hon. Judge Faith Hochberg</b>
David J. Bridges, Jr. &	)	
BMA Investments, Inc. &	)	
George Fantini,	)	
Defendants	)	
	)	

**ENTRY OF DEFAULT**

It appearing that the complaint was filed on June 23, 2008; and, that the Summons and complaint were duly served upon Defendants David Bridges, David J. Bridges, Jr., BMA Investments, Inc. and George Fantini, and no answer or other Pleading has been filed by said defendants within the time required by law.

Therefore, upon request of the plaintiff, default is hereby entered against each of the defendants cited above, as provided in Rule 55(a), Federal Rules of Civil Procedure.

By \_\_\_\_\_  
Clerk or (Deputy Clerk)

Thomas J. Ernst, M.A., J.D.  
Pro Se  
784 Morris Turnpike, Suite 134  
Short Hills, New Jersey 07078  
(703) 474 - 7777  
Plaintiff, Pro Se

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Thomas J. Ernst,  
Plaintiff  
vs.  
David Bridges &  
David J. Bridges, Jr. &  
BMA Investments, Inc. &  
George Fantini,  
Defendant(s)

---

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

Civil Action No. 08-CV-3163  
Hon. Faith Hochberg

**AFFIDAVIT IN SUPPORT  
OF ENTRY OF DEFAULT**

TO: Clerk  
United States District Court  
District of New Jersey  
60 Walnut St., 4<sup>th</sup> Floor  
Newark, New Jersey

Thomas J. Ernst, of full age, being duly sworn, upon his oath according to law,  
Deposes and says:

1. I am the Plaintiff, acting pro se, per the laws of the State of New Jersey  
as noted in the above-entitled action. I am thoroughly familiar with the facts and  
circumstances of this action. I make this Affidavit in support of Plaintiff's request that  
the Clerk of this Court enter a default against each of the defendants in the above-entitled  
action.

2. By Order of this Court dated June 24, 2008, the Summons and Complaint  
Were entered and issued on or about June 24, 2008.

Further, I swear and affirm that none of the defendants are minors, nor incompetent, nor otherwise mentally infirmed. I also swear and affirm that none of the defendants are in the military service.

3. The Complaint and Summons in this action were served, by US Mail Pre-Paid on all Defendants David Bridges and David J. Bridges, Jr. of Virginia and on George Fantini of Delaware, and upon their Attorneys Fred Funk, Esq. and Brian Funk, Esq. of Middletown, Delaware. The original Proof of Service and Summons were filed on or about June 23, 2008.

4. The time within which Defendants may answer or otherwise move as to the Complaint expired on or about July 16, 2008, and each of the Defendants failed to answer or otherwise respond.

5. Plaintiff has no alternative but to seek an Entry of Default. Plaintiff has now forwarded herewith to the Court an appropriate Default Judgment.

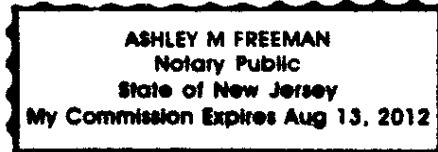
Thomas J. Ernst, pro se  
Thomas J. Ernst, Pro Se

Sworn and subscribed to  
Before me this 28<sup>th</sup> day of  
October, 2008:

NOTARY PUBLIC:

By: \_\_\_\_\_

Dated: 10/28/08



784 Morris Turnpike, Suite 134  
Short Hills, New Jersey 07078  
(703) 474 - 7777  
Plaintiff, Pro Se

Thomas J. Ernst,  
Plaintiff  
vs.

David Bridges &  
David J. Bridges, Jr. &  
BMA Investments, Inc. &  
George Fantini,  
Defendant(s)

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

Civil Action No. 08 - CV - 3163

Hon. \_\_\_\_\_ Judge Faith Hochberg

TO: Clerk

United States District Court  
District of New Jersey  
60 Walnut St., 4<sup>th</sup> Floor  
Newark, New Jersey

**Affidavit of Non-Military Service,  
Pursuant to 50 U.S.C. 520 et al.**

1. I, Thomas J. Ernst, Plaintiff, pro se, of full legal age & sound mind, now being duly sworn on this 28<sup>th</sup> day of October 2008, do state and affirm that:
2. To the best of my knowledge and belief the true copies Summons and Complaint were issued on or about June 23, 2008 with a time deadline; and,
3. Date of service and the affidavit of service were filed on or about June 24, 2008 to all defendants and to their legal counsel; and,
4. No answer or motion has been filed nor received within the time limit fixed by this Court's Order; and,
5. None of the defendants are in the US Military Service, as defined and addressed by 50 U.S.C. 520 et al.; and,
6. None of the Defendants are incompetent nor infants, as defined in Federal Rules of Civil Procedure, 55(b)(1). Further, Affiant sayeth naught.

*Thomas J. Ernst, pro se*  
Thomas J. Ernst, pro se Plaintiff

NOTARY PUBLIC:



11/18/2008

**Proof & Certificate of Service**

I certify and affirm that a true copy of this Request for Default Judgment and related Affidavit(s) and all other documents was served on all Defendants & Counsels of Record by Certified US Pre-Paid, 1<sup>st</sup> Class Mail, Return Receipt Requested on October 28, 2008:

Thomas J. Ernst, pro se

Thomas J. Ernst, Pro Se  
784 Morris Turnpike, Suite 134  
Short Hills, New Jersey 07078  
(p) 703-474-7777 (f) 703) 563-9742  
Plaintiff

**NOTARY PUBLIC:**

*Ashley Freeman*

**Mailed To Legal Counsels:**

Fred Funk, Esq. & Brian Funk, Esq.  
105 Sleepy Hollow Drive, Suite A  
Middletown, Delaware 19709  
(p) 302-376-0311 (f) 800-311-6290



**Mailed to Defendants:**

David Bridges & David J. Bridges, Jr.  
& BMA Investments & George Fantini  
12781 Darby Brock Court  
Woodbridge, Virginia 22192

United States District Court  
Division of New Jersey

RECEIVED - CLERK  
U.S. DISTRICT COURT

2008 OCT 20 P 3:06

Thomas J. Ernst,  
Plaintiff

Vs.

Case # 08-CV-3163

David J. Bridges &  
David J. Bridges, Jr. &  
BMA Investments, LLC &  
George Fantini &  
~~Robert Hammer~~  
Defendants

Plaintiff's Request for Default Judgment

Comes now Plaintiff, Thomas J. Ernst, pro se, pursuant to Rule 55(b)(1), to move this Court and its Clerk enter a ~~\$340,000~~ Default Judgment against Defendants for not appearing and, per attached affidavit, none of Defendants is a minor nor incompetent person(s).

Respectfully Submitted,

Thomas J. Ernst, pro se  
Thomas J. Ernst, pro se 10/20/08

United States District Court  
Division of New Jersey

Thomas J. Ernst,  
Plaintiff

Vs.

Case #

08-CV-3163

David J. Bridges &  
David J. Bridges, Jr. &  
BMA Investments, LLC &  
George Fantini &  
Robert Kemper

Defendants

Affidavit in Support of  
Plaintiff's Request for Default Judgment

Comes now Plaintiff, Thomas J. Ernst, being of sound mind *10/20/08*  
and of legal age, pro se, and now being duly sworn, does  
swear and affirm that none of the Defendants named in this  
action is a minor nor or any of the Defendants, to the best  
of my knowledge and belief, mentally incompetent persons.

Rule 55(b)(1), to move this Court and its Clerk enter a  
Default Judgment against Defendants for not appearing  
and, per attached affidavit, none of Defendants is  
a minor nor incompetent person(s).

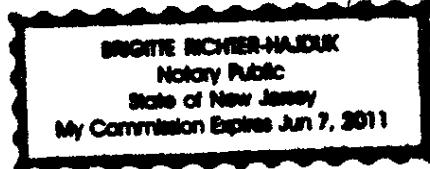
Respectfully Submitted,

*Thomas J. Ernst, pro se* *10/20/08*  
Thomas J. Ernst, pro se

NOTARY PUBLIC:  
My Commission Expires on:

*07/12/2011*

*Brigitte Richter-Hajduk*



NOTARY PUBLIC:

(SEAL)

POW MIA LEE  
Notary Public  
State of New Jersey  
My Commission Expires Nov 9, 2012

Certificate and Proof of Service:

I certify and affirm that a true copy  
of this Complaint & Its Exhibit  
Was mailed by US Pre-paid, First Class  
Mail to All Counsels of Record for Defendants:  
Fred Funk, LLP  
& Brian Funk, Esq.  
105 Sleepy Hollow Drive, Suite A  
Middletown, Delaware 19709  
302-376-0311  
800-311-6290 FAX

Certified By:

Thomas J. Ernst 10/20/08

Respectfully Submitted By:

Thomas J. Ernst 10/20/08  
Thomas J. Ernst,  
Pro Se, Plaintiff  
984 Morris Turnpike, Suite 134  
Short Hills, New Jersey 07928  
(703) 474-7777  
E-Mail: [tom@medicure.biz](mailto:tom@medicure.biz)